

4/28
* 10-22709
(98091)
COPY

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION**

Attorney's Docket No.

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

A PROBE FOR DETECTING A HIGHLY ORDERED STRUCTURAL SITE OF A SINGLE STRANDED

NUCLEIC ACID OF A GENE, AND A METHOD AND A DEVICE FOR DETECTING THE SAME

the specification of which

(check one)

is attached hereto;

was filed on _____ as

Application No. _____

and was amended on _____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

COMBINED DECLARATION AND POWER OF ATTORNEY

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
Japan	10-227,019	August 11, 1998	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Ralph L. Freeland, Jr.	16,110	William C. Rowland	30,888
Peter H. Smolka	15,913	Robert G. Mukai	28,531	T. Gene Dillahunt	25,423
Robert S. Swecker	19,885	George A. Hovanec, Jr.	28,223	Anthony W. Shaw	30,104
Platon N. Mandros	22,124	James A. LaBarre	28,632	Patrick C. Keane	32,858
Benton S. Duffett, Jr.	22,030	E. Joseph Gess	28,510	Bruce J. Boggs, Jr.	32,344
Joseph R. Magnone	24,239	R. Danny Huntington	27,903	William H. Benz	25,952
Norman H. Stepno	22,716	Eric H. Weisblatt	30,505	Peter K. Skiff	31,917
Ronald L. Grudziecki	24,970	James W. Peterson	26,057	Richard J. McGrath	29,195
Frederick G. Michaud, Jr.	26,003	Teresa Stanek Rea	30,427	Matthew L. Schneider	32,814
Alan E. Kopecki	25,813	Robert E. Krebs	25,885	Michael G. Savage	32,596
Regis E. Slutter	26,999	Robert M. Schulman	31,196	Gerald F. Swiss	30,113
Samuel C. Miller, III	27,360				

and: _____

Address all correspondence to:

Robert G. Mukai
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

Address all telephone calls to: Robert G. Mukai

at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Shigeori TAKENAKA	SIGNATURE <i>Shigeori Takenaka</i>	DATE April 28, 1999
RESIDENCE Koga City, Fukuoka Pref., Japan	CITIZENSHIP Japanese	
POST OFFICE ADDRESS 23-21, Mainosato 4-Chome, Koga City, Fukuoka Pref., Japan		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		

COPY 0-227019
(28091)

Applicant or Patentee: Shigeori TAKENAKA

Attorney's

Serial or Patent No.: _____

Docket No.: _____

Filed or Issued:

For: A PROBE FOR DETECTING A HIGHLY ORDERED STRUCTURAL SITE OF A SINGLE STRANDED NUCLEIC ACID OF A GENE, AND A METHOD AND A DEVICE FOR DETECTING VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION THE SAME

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION KYUSHU UNIVERSITY
ADDRESS OF ORGANIZATION 10-1, Hakozaki 6-Chome, Higashi-Ku, Fukuoka City, Fukuoka Pref., Japan

TYPE OF ORGANIZATION

[x] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
[] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))
[] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA

(NAME OF STATE _____)

(CITATION OF STATUTE _____)

[] WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA

[] WOULD QUALIFY AS NONPROFIT, SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE _____)

(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled A PROBE FOR DETECTING A HIGHLY ORDERED STRUCTURAL SITE OF A SINGLE STRANDED(P.T.O.)

by inventor(s) Shigenori TAKENAKA

described in

[x] the specification filed herewith

[] application serial no. _____, filed _____

[] patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to the status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

[] NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

[] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING _____

Yoichi SUGIOKA

TITLE IN ORGANIZATION _____

President

ADDRESS OF PERSON SIGNING _____

10-1, Hakozaki 6-Chome, Higashi-Ku, Fukuoka City, Fukuoka Pref., Japan

SIGNATURE _____

DATE April 28, 1999